



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

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09/097,307

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/097,307	06/12/98	NARASIMHAN	A 02964.P004

WM02/1122  
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EXAMINER	
LOGSDON, J	
ART UNIT	PAPER NUMBER

2662

DATE MAILED:

11/22/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

**Office Action Summary**

Application No.

09/097,307

Applicant(s)

NARASIMHAN ET AL.

Examiner

Joe Logsdon

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

**Attachment(s)**

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

**Claim Rejections—35 U.S.C. 102(e):**

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Kelly. Kelly discloses an automatic call distribution (ACD) system that comprises an ACD server and at least two communicating data networks, which can use different formats, e.g., some of the data networks can be circuit-switched and others packet-switched (column 3, lines 40-44); the ACD server receives calls on either a circuit-switched or a packet-switched network and routes the calls to other networks (column 3, lines 40-44; column 14, lines 50-52; one of these networks can comprise users, and the other can comprise agent processes with which the users wish to communicate (abstract)). The ACD server comprises a message queue and a routing module (column 12, lines 28-31; column 14, lines 17-38). The ACD server also contains an optional database (column 10, lines 66-67). The ACD system further comprises a control center that dynamically configures the agent processes to which calls are transferred. The ACD also includes a server (WebPhone Gateway Exchange) that is coupled to the network of the users (PSTN) and a third network type (WebPhone network) (Fig. 2B).

**Claim Rejections—35 U.S.C. 103(a):**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Baudoin. Baudoin discloses an interenterprise communication center comprising a computer hub, which comprises a common core and several input and output modules (abstract). A user on one data network ("first end user") sends an e-mail message in one format to the input modules, the hub core queues the message, and the output module converts the e-mail message into the format of a user on another data network ("destination user") before routing the e-mail message to the destination user (abstract; column 5, lines 49-68). Baudoin fails to teach another server coupled to one of the data networks and at least one database server connected to one of the communicating networks. It would have been obvious to one of ordinary skill in the art to modify the invention of Baudoin so that another server is coupled to one of the data networks, where the server is adapted to

communicate with another data network that uses another e-mail format because such an arrangement would allow a larger number of data networks to communicate with each other via e-mail. It would further have been obvious to one of ordinary skill in the art to modify the invention of Baudoin so that at least one database server is connected to one of the communicating networks because such an arrangement would allow users to look up each other's e-mail addresses.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Seazholtz et al. and L. Orozco-Barbosa et al. are cited to show the state of the art.

### **Conclusion**

7. Any inquiry concerning his communication or earlier communications from the examiner should be directed to Joseph Logsdon whose telephone number is (703) 305-2419. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on (703) 305-4744.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

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Art Unit: 2662

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**Or faxed to:**

(703) 308-6743

For informal or draft communications, please label "PROPOSED" or "DRAFT".

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA, Sixth Floor (Receptionist).

Joe Logsdon

Patent Examiner

November 17, 2000



HASSAN KIZOU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600